

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-20178 - APPLICANT: LEVITZ HOME FURNITURE -
OWNER: CONSTANTINO NOVAL NEVADA LLC.**

**** CONDITIONS ****

The Planning Commission (5-1/sd vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the 80-foot sign on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 02/27/07, except as amended by conditions herein.
3. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
4. The existing billboard sign shall be demolished prior to the commencement of the physical construction of the new sign.

Public Works

5. The proposed freestanding sign, including base, shall not be located within the existing or proposed public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Site Development Plan Review for a proposed freestanding sign, 80-feet in height within 200 feet of the US95 highway, located at 81 South Martin Luther King Boulevard, on an 8.19 acre commercial subdivision. Due to changing conditions in the area the applicant wishes to replace the current 40-foot tall sign with a sign that will be 80-feet in height.

The location of the sign is within 200 feet of the right-of-way line of highway US 95, and the proposed 80-foot sign will be 30-feet above the freeway elevation. Additionally, the sign will be visible from the Oran K. Gragson Highway. At this location an increase in height to 80-feet may be authorized by the City Council after review by the Planning Commission.

BACKGROUND INFORMATION

| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
|---|---|
| 06/08/98 | The City Council approved a request for a special use permit (U-0025-98) on property located at 73 S Martin L King Blvd for a 14 foot by 48 foot off-premise advertising (billboard) sign at a height of 74 feet. |
| 08/02/2000 | The City Council approved a Two Year Required Review of an approved Special Use Permit [U-0025-98(1)] to allow a 672 square foot - 48 foot high off premise sign (billboard) on property located at 73 South Martin Luther King Boulevard. |
| 09/18/2002 | The City Council approved a Required Two Year Review of an approved Special Use Permit [U-0025-98(2)] which allowed a 74 foot high, 14 foot x 48 foot off premise advertising (billboard) sign at 73 South Martin L. King Boulevard. |
| 10/01/03 | The City Council approved (GPA-2497) a request to Amend the City of Las Vegas Downtown Development Plan Map (Map 9) of the Las Vegas Redevelopment Plan from Industrial to Commercial and from Industrial to Mixed Use for properties bounded by Charleston Boulevard to the north, Third Street to the east, Commerce Street to the west and Colorado Street to the south. |
| 01/01/2007 | The City Council tabled a required four year review (RQR-17098) of an approved special use permit (U-0025-98) which allowed a 14-foot x 48-foot off-premise advertising (billboard) sign at 73 South Martin L King Boulevard due to billboard moratorium. |
| 04/12/07 | The Planning Commission voted 5-1/sd to recommend APPROVAL (PC Agenda Item #19/lhm). |
| <i>Related Building Permits/Business Licenses</i> | |
| 11/14/95 | Sign (Permit # 95877436) |
| 5/27/05 | Monopole (Permit # 5000404) |

| <i>Pre-Application Meeting</i> | |
|---------------------------------------|---|
| 2/13/07 | Submittal requirements; show sign setback and elevations. |
| <i>Neighborhood Meeting</i> | |
| | No neighborhood meeting is required for this application, nor was one held. |

| <i>Details of Application Request</i> | |
|--|------|
| <i>Site Area</i> | |
| Net Acres | 8.21 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|-----------------------------|------------------------------------|--------------------------------|------------------------|
| Subject Property | Retail | LI/R (Light Industry/Research) | M (Industrial) |
| North | US95 Hwy | ROW | ROW |
| South | M (Industrial) | LI/R (Light Industry/Research) | M (Industrial) |
| East | US 95 Hwy / I-15 | ROW | ROW |
| West | US 95 access ramp Tennis courts | ROW / MXU (Mixed Use) | R-5 (Apartment) |

| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|---|-------------------|------------------|--------------------------|
| Special Area Plan | | | |
| Redevelopment Plan Area | X | | Y |
| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
| Special Purpose and Overlay Districts | | | |
| A-O Airport Overlay District (175 feet) | X | | Y |
| Trails | | X | N/A |
| Rural Preservation Overlay District | | X | N/A |
| Development Impact Notification Assessment | | X | N/A |
| Project of Regional Significance | | X | N/A |

Airport Overlay

While the subject site is located in the Airport Overlay District, the proposed sign will not be of sufficient height to warrant further review for aviation purposes.

DEVELOPMENT STANDARDS

| Freestanding Signs: 19.14.5 | | |
|------------------------------------|---------------------------------|--------------------------------|
| Standards | Allowed | Provided |
| Maximum Number | *1 / Street frontage 1 total | 1 / Street frontage 1 total |
| Maximum Area | **740 Square Feet | 612 Square Feet |
| Maximum Height | 80 Feet | 80 Feet |
| Minimum Setback | 5 Feet | 5 Feet |
| Illumination | Allowed | Metal Halide Lighting System |

*Sign Standards 19.14.5 Freestanding signs: (a) Maximum number one freestanding sign per each 200 lineal feet of street frontage or portion thereof.

** (b) Maximum area (i) The total area of all freestanding and monument signs shall not exceed two square feet of sign area for each lineal foot of street frontage.

ANALYSIS

The proposed illuminated, freestanding sign, 80 feet in height, will replace an existing 40 foot tall freestanding sign. Title 19.14.060 limits the height of freestanding signs to 40 feet. The height may be increased to 80 feet if the sign is within 200 feet of the right-of-way line and can be read from Interstates 15 and 215, US 95 from the north city limits to the Oran K. Gragson Highway, the Oran K. Gragson Highway or Interstate 515, when authorized by the City Council, after review by the Planning Commission.

- Sign Standards

This sign will be subject to Title 19.14.060(F) 5 [Permitted Signs in the C-1, C-2, C-M and C-2 Zoning Districts].

(5) Freestanding Signs

(a) Maximum number.

- (i) One freestanding sign per each 200 lineal feet of street frontage or portion thereof. The total number of all freestanding and monument signs shall not exceed one per each 200 lineal feet of street frontage or portion thereof.

(b) Maximum area.

- (i) The total area of all freestanding and monument signs shall not exceed two square feet of sign area for each lineal foot of street frontage. On lots with multiple street frontages, the allowable area for each street frontage shall be calculated separately unless consolidated into one sign, then each street frontage shall be added and total square footage permitted may be allowed in one consolidated sign.

(c) Maximum Height.

40 feet, subject to the following:

- (i) A freestanding sign within 200 feet of the right-of-way line of an elevated freeway or highway to which it is oriented may be erected up to 30 feet above the elevation of the elevated freeway or highway nearest the sign.
- (ii) In addition, signs within 200 feet of the right-of-way line and which can be read from Interstates 15 and 215, US 95 from the north city limits to the Oran K. Gragson Highway, the Oran K. Gragson Highway or Interstate 515 may be increased to a height equal to 80 feet, when authorized by the City Council, after review by the Planning Commission.

(d) Minimum Setback. Five feet from all property lines.

(e) Additional standards.

- (i) All freestanding and monument signs on the same lot or in the same development shall maintain a minimum separation of 100 feet measured along the street frontage.

(f) Illumination permitted. Internal, external, animated and electronic message unit signs are permitted except on a building elevation visible from and located within 200 feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached use).

FINDINGS

The following findings must be made for an SDR:

1. The proposed development is compatible with adjacent development and development in the area;

This M (Industrial) zoned commercial subdivision is bordered on the north by highway US 95 and on the east by highway I-15. Martin L King Boulevard is the access street on the west side of the subject parcel. An access ramp for US 95 and tennis courts are directly across Martin L King Boulevard from the site.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed sign is consistent with city standards and is compatible with existing development in the area.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

The site is accessed from Martin L King Boulevard which is designated on the Master Plan of Streets and Highways as Major Collector (80-foot) foot right-of-way. This roadway should not be adversely impacted by the proposed sign.

- 4. Building and landscape materials are appropriate for the area and for the City;**

Building materials are typical for sign construction and are appropriate for a sign to be visible from the highway at this location.

- 5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The elevations of the proposed sign indicate the sign is large enough to be easily viewed from the highway just to provide identification of the business at that location. The sign is compatible with development in the area.

- 6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The project will be subject to permit review and inspections, and is, therefore appropriate measures will be taken to protect human health and public safety.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 29 by Planning Department

APPROVALS 0

PROTESTS 0